NOTIFICATION. 380

No. D. 3291—*I. & C.* 242-42-3, *dated Bangalore, the* 21*st November* 1942.

The following notifications of the Government of India, Department of Commerce are hereby republished for general information.

By Order,

V. VEDAVYASACHARYA,

Secretary to Government, Development Department.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE.

(Rubber Control.)

NOTIFICATION.

New Delhi, dated 21*st November* 1942.

No. 269 (23)/Tr. (R)/42.—In exercise of the powers conferred by clause 10 of the Rubber Control and Production Order, 1942, the Central Government is pleased to make the following regulations, namely :—

1. These regulations may be called the Rubber Control and Production Regulations, 1942.

Short title and definitions.

2. In these regulations—

(1) "Order" means the Rubber Control and Production Order, 1942;

(2) "Board" means the Indian Rubber Production Board constituted under the Order;

(3) "Controller" means the Controller of Rubber Manufactures in the Directorate-General of Supply, Central Government;

(4) "Commissioner" means the Rubber Production Commissioner appointed under sub-clause (1) of clause 5 of the Order;

(5) "Secretary" means the officer appointed under sub-clause (2) of clause 5 of the Order.

3. (1) The Chairman of the Board may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the Board, call a meeting of the Board for the transaction of business.

(2) The Chairman of a committee appointed under the order may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the committee call a meeting of the committee for the transaction of business.

(3) The Central Government may appoint a Vice-Chairman from among the members of the Board and assign to him such functions as it may deem fit.

4. (1) The Chairman of the Board or of a committee shall, if present, preside at meetings of the Board or of the committee, as the case may be.

(2) In the absence of the Chairman, the members of the Board or of the committee, as the case may be, shall elect one of their number to preside.

5. (1) All questions which may come before the Board or its committee at any meeting shall be decided by a majority of votes. No member shall vote by proxy.

(2) In the event of an equality of opposing votes at any meeting of the Board or a committee, the Chairman or in his absence the President elected under regulation (2) shall have a second or casting vote.

6. (1) Any business which the Board or a committee is required to transact may, if the Chairman of the Board or of the committee so directs, be referred to it by circulation to all members, and any resolution or proposal so circulated and approved by a majority of the members who have recorded their views in writing, shall be as effectual and binding as if such resolution or proposal were decided by a majority of votes at a meeting.

(2) When any business is referred to the members of the Board or of a committee by circulation, the Chairman of the Board or a committee concerned shall allow such period as may be fixed at a meeting by the Board or the committee, as the case may be, for the receipt of replies.

7. (1) The Board shall have power to delegate to committees appointed by it under clause 6 of the Order such powers as it deems fit.

(2) Members of a committee shall elect a Chairman from amongst themselves.

8. All committees appointed under the Order shall exercise their powers, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of all committees shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

9. (1) The Commissioner may receive applications for permission to plant rubber plants under clause 17 of the Order, and subject to the orders of the Board may grant or refuse the permission applied for or grant such permission in part only or call for further information from the applicant.

(2) In the absence on leave, through illness or other causes, of the Commissioner the powers delegated to him under this regulation may be exercised by the Secretary when empowered by the Board in that behalf.

(3) The powers delegated under this regulation shall be exercised subject to the control of the Board.

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10. For attendance at any meeting of the Board or of a committee, the members will be entitled to the travelling and daily allowances at the following rates :—

Government Official Members.—Travelling and daily allowances under the ordinary service rules of the Government servant concerned.

Non-official Members.—For journeys performed to attend Boards or committee's meetings, rail or steamer fares and road mileage as for Government servants of the first grade serving under the Government of India, *plus* a daily allowance of Rs. 10 per diem for days of attendance at meetings or days of residence in connection with Board's or committee's meetings at a place other than the usual place of residence of the member concerned.

11. (1) The Board shall, from time to time, fix the scale of establishment and the salaries and allowances of all officers and servants to be employed by it and require security in such instances and to such amounts as it thinks fit :

Provided that—

(*a*) no post of which the maximum is Rs. 500 per mensem or more, shall be created and filled without the previous sanction of the Central Government ;

(*b*) the grant of leave, pay and allowances to officers and servants of the Board, who are not in Government service shall be regulated by rules made by the Board so however that in respect of officers engaged on contract, leave rules to be framed by the Board shall be decided with due regard to the provisions of the model leave terms framed by the Central Government for officers engaged on contract under its control ; and

(*c*) conditions determined by the Board under this sub-regulation shall not be more favourable than the rules applicable to corresponding classes of Central Government servants.

(2) Subject to sub-regulation (1) and save in regard to Government servants who are on deputation to the Board, the Chairman shall have power to appoint, dismiss, grant leave, to fine, suspend or reduce any person in the service of the Board :

Provided that no person shall be appointed to, or dismissed from, an office the salary of which is 100 per mensem and upwards without the sanction of the Board at a meeting.

The Board shall maintain an office for the transaction of its business and may open branch offices should necessity arise.

13. Not less than two meetings of the Board shall be held in each year.

14. Five members shall form a quorum for meetings of the Board and three members shall form a quorum for meetings of any committee.

15. A record shall be maintained of all business transacted by the Board or by any committee.

16. (1) The Board's working year shall be the calendar year. The Board shall, in the month of November in each year, prepare an estimate of its receipts and expenditure for the year commencing on the first day of January next ensuing.

(2) A copy of such estimate shall be submitted for approval to the Central Government in the first week of December.

17. (1) The accounts of the Board shall be made up for each calendar year and forwarded to the Central Government as soon as possible after its close.

(2) The receipts shall include all sums received by the Board during the year to which the accounts relate and shall be shown under the following heads:—

(*a*) Sums received under clause 11 of the Order;
(*b*) Any other moneys received by the Board by way of grant or otherwise;
(*c*) Interest accrued on investments;
(*d*) Miscellaneous.

The opening balance shall be shown at the head of the account on the receipt side.

(3) The expenditure shall be shown under the following heads or any other head or heads that may be decided upon by the Board from time to time:—

(*a*) Office rent;
(*b*) Officers' salaries and establishment charges;
(*c*) Travelling and daily allowances;
(*d*) Stationery and printing;
(*e*) Postage and telegrams;
(*f*) Measures taken for intensifying tapping and promoting research and propaganda, etc.;
(*g*) Miscellaneous.

The closing balance of the year shall be shown at the foot of the expenditure side.

18. (1) The current account of the Board shall be kept in the Imperial Bank of India or such other Bank as the Central Government may approve, and all moneys at the disposal of the Board, with the exception of petty cash and of moneys placed in fixed deposit or invested in accordance with the provisions hereinafter contained, shall be paid into that account.

(2) Any funds not required for current expenditure may be placed in fixed deposit with any bank approved in this behalf by the Central Government or invested in the name of the Board in any security in which trust property may lawfully be invested under the Indian Trusts Act, 1882.

(3) The placing of money in fixed deposit and the investment thereof and the disposal of moneys so placed or invested shall require the sanction of the Chairman of the Board.

(4) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against the current account of the Board.

(5) Such cheques and all orders for making deposits or investments, or for the withdrawal of the same, or for the disposal in any other manner of the funds of the Board shall be signed by the Secretary and countersigned by the Commissioner or any other member authorised by him in this behalf.

19. The Board may, with the approval of the Central Government, issue rules either for the payment of a bonus to, or for the creation of a Provident Fund for, its employees and also for the grant of leave to its employees.

Regulations for inclusion in list of approved estates, approved holdings and approved dealers.

20. Every estate which has a rubber planted area of not less than one hundred acres, shall be eligible to be registered as an "approved estate" and every holding which has a rubber planted area of not less than 50 acres administered as one unit, as an "approved holding".

21. Every dealer of sound financial position and standing who has dealt in rubber for a period of three years prior to 1st April 1942, to the extent of an average of not less than one hundred tons of dry rubber per annum, or who has a present stock of 100 tons of dry rubber, or who is capable of dealing in an average of 100 tons of dry rubber per annum, shall be eligible to be registered as an "approved dealer".

22. Any dealer desiring to be registered as an approved dealer and any owner of an estate or holding desiring to have the estate or holding registered as an approved estate, shall make an application to the Board in the form prescribed, if any, by the Board and shall also produce before the Board such evidence of eligibility as is required by the Board.

23. If the Board is satisfied that an estate or holding or dealer satisfies the requirements of eligibility, the Board may sanction the application in respect of such estate or holding or dealer, whereupon the name of such estate or holding or dealer shall be entered in the Register of approved estates, holdings or dealers, as the case may be, and a certificate thereof granted to the applicant. If the Board is not so satisfied it may reject the application.

24. Any breach of contract or failure to meet obligations on the part of any approved estate, approved holding or approved dealer or any default or failure on their part to comply with the requirements of the Order or of these regulations or of any supplementary Order or Regulations which may hereafter be made or of any of the lawful demands made from time to time by the Board or any cessation or suspension of production or dealing by any estate or holding or dealer approved under the Order, or the commission or wilful omission by them of any act or thing which in the opinion of the Board may tend to be prejudicial or detrimental to the object and purpose of the Order, shall make such estate or holding or dealer liable for suspension or removal by the Board from the Register of approved estates or holdings or the Register of approved dealers, as the case may be, and consequent suspension or cancellation of the relative certificates granted by the Board.

25. The Board shall have the discretion at any time to suspend or remove the name of any estate or holding or dealer approved under the Order from the Register of approved estates or holdings or the Register of approved dealers, as the case may be, for any of the foregoing reasons or for any other reason which the Board may deem sufficient.

Joint Secy. to the Govt. of India.

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DEPARTMENT OF COMMERCE.

NOTIFICATIONS.

Treaties (Rubber).

New Delhi the 21st November 1942.

No. 269 (9)-Tr (R)/42 :—In pursuance of clause 3 of the Rubber Control and Production Order, 1942, the Central Government is pleased to constitute, with effect from 21st November 1942, the Indian Rubber Production Board consisting of the following :—

CHAIRMAN.

Sir C. P. Ramaswamy Iyer, Dewan of Travancore.	Nominated by the Central Government.

MEMBERS.

Not less than two but not more than four representatives as may be deputed by the Central Government from time to time.	To be nominated by the Central Government to represent that Government.
Mr. P. H. Rama Reddi, Director of Agriculture, Madras.	Nominated by the Government of Madras to represent that Government.
Mr. K. V. Thomas . . . The Division Peishkar, Kottayam.	Nominated by the Government of Travancore to represent that Government.
Mr. E. F. Norman . .	Nominated by the Government of Cochin to represent that Government.
Mr. L. J. T. Polgreen . .	Nominated by the United Planters' Association of Southern India to represent that Association.
Mr. A. V. Thomas, Alleppey .	Nominated by the Rubber Growers' Association of India to represent that Association.
Mr. V. J. Joseph of Messrs. Pothen Joseph & Sons, Alleppey.	Nominated by the Central Government to represent the approved rubber dealers.
Mr. K. Dominic Joseph, Advocate, Kottayam.	Nominated by the Association of Planters of Travancore to represent that Association.
The Rubber Production Commissioner.	*ex-officio.*

Joint Secy. to the Govt. of India.

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No. 268 (8)—*Tr.* (*R*)/42.—Inp ursuance of sub-clause (1) of clause 5 of the Rubber Control and Production Order, 1942, the Central Government is pleased to appoint, with effect from 21st November 1942, and until further orders Mr. P. Kurian John, B.A., as the Rubber Production Commissioner.

Joint Secy. to the Govt. of India.

No. 268—(8)*Tr.* (*R*)/*42.*—In pursuance of sub-clause (2) of clause 5 of the Rubber Control and Production Order, 1942, the Central Government is pleased to appoint Mr. C. R. B. Menon, B.A., as Secretary to the Indian Rubber Production Board, with effect from the date he takes over charge and until further orders.

Joint Secy. to the Govt. of India.

Printed by the Superintendent at the Government Press, Bangalore.

FORM J. 387

RUBBER CONTROL AND PRODUCTION ORDER, 1942.

[*Clause* 21.]

No.....

Mr./Messrs.....is authorised to take a quantity of.....tons.....cwt.....qrs..... lb. rubber (details of which are given below), in transit from..... to.....by sea or rail. This certificate should be produced before the Shipping or the Railway authorities, prior to transit, who shall endorse on the back of certificate the amount of rubber accepted for despatch.

Details of Rubber.—

Station.....

Date.....194 .

(Signature)
Controller of Rubber Manufactures
or a person acting under his authority.

Joint Secy. to the Govt. of India.

NOTIFICATION.

No. D. 3291—*I. & C.* 242-42-3, *dated Bangalore, the* 21*st November* 1942.

The following notifications of the Government of India, Department of Commerce are hereby republished for general information.

By Order,

V. VEDAVYASACHARYA,

Secretary to Government,
Development Department.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE.

(Rubber Control.)

NOTIFICATION.

New Delhi, dated 21*st November* 1942.

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1. These regulations may be called the Rubber Control and Production Regulations, 1942.

Short title and definitions.

2. In these regulations—

(1) "Order" means the Rubber Control and Production Order, 1942;

(2) "Board" means the Indian Rubber Production Board constituted under the Order;

(3) "Controller" means the Controller of Rubber Manufactures in the Directorate-General of Supply, Central Government;

(4) "Commissioner" means the Rubber Production Commissioner appointed under sub-clause (1) of clause 5 of the Order;

(5) "Secretary" means the officer appointed under sub-clause (2) of clause 5 of the Order.

3. (1) The Chairman of the Board may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the Board, call a meeting of the Board for the transaction of business.

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(2) The Chairman of a committee appointed under the order may, whenever he thinks fit, and shall, upon a requisition in writing signed by a majority of the members of the committee call a meeting of the committee for the transaction of business.

(3) The Central Government may appoint a Vice-Chairman from among the members of the Board and assign to him such functions as it may deem fit.

4. (1) The Chairman of the Board or of a committee shall, if present, preside at meetings of the Board or of the committee, as the case may be.

(2) In the absence of the Chairman, the members of the Board or of the committee, as the case may be, shall elect one of their number to preside.

5. (1) All questions which may come before the Board or its committee at any meeting shall be decided by a majority of votes. No member shall vote by proxy.

(2) In the event of an equality of opposing votes at any meeting of the Board or a committee, the Chairman or in his absence the President elected under regulation (2) shall have a second or casting vote.

6. (1) Any business which the Board or a committee is required to transact may, if the Chairman of the Board or of the committee so directs, be referred to it by circulation to all members, and any resolution or proposal so circulated and approved by a majority of the members who have recorded their views in writing, shall be as effectual and binding as if such resolution or proposal were decided by a majority of votes at a meeting.

(2) When any business is referred to the members of the Board or of a committee by circulation, the Chairman of the Board or a committee concerned shall allow such period as may be fixed at a meeting by the Board or the committee, as the case may be, for the receipt of replies.

7. (1) The Board shall have power to delegate to committees appointed by it under clause 6 of the Order such powers as it deems fit.

(2) Members of a committee shall elect a Chairman from amongst themselves.

8. All committees appointed under the Order shall exercise their powers, subject to such instructions, directions or limitations, if any, as may be defined by resolution of the Board and all acts of all committees shall be subject to the control of the Board which may cancel, suspend or modify, as it thinks fit, any such act.

9. (1) The Commissioner may receive applications for permission to plant rubber plants under clause 17 of the Order, and subject to the orders of the Board may grant or refuse the permission applied for or grant such permission in part only or call for further information from the applicant.

(2) In the absence on leave, through illness or other causes, of the Commissioner the powers delegated to him under this regulation may be exercised by the Secretary when empowered by the Board in that behalf.

(3) The powers delegated under this regulation shall be exercised subject to the control of the Board.

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10. For attendance at any meeting of the Board or of a committee, the members will be entitled to the travelling and daily allowances at the following rates :—

Government Official Members.—Travelling and daily allowances under the ordinary service rules of the Government servant concerned.

Non-official Members.—For journeys performed to attend Boards or committee's meetings, rail or steamer fares and road mileage as for Government servants of the first grade serving under the Government of India, *plus* a daily allowance of Rs. 10 per diem for days of attendance at meetings or days of residence in connection with Board's or committee's meetings at a place other than the usual place of residence of the member concerned.

11. (1) The Board shall, from time to time, fix the scale of establishment and the salaries and allowances of all officers and servants to be employed by it and require security in such instances and to such amounts as it thinks fit :

Provided that—

(*a*) no post of which the maximum is Rs. 500 per mensem or more, shall be created and filled without the previous sanction of the Central Government ;

(*b*) the grant of leave, pay and allowances to officers and servants of the Board, who are not in Government service shall be regulated by rules made by the Board so however that in respect of officers engaged on contract, leave rules to be framed by the Board shall be decided with due regard to the provisions of the model leave terms framed by the Central Government for officers engaged on contract under its control ; and

(*c*) conditions determined by the Board under this sub-regulation shall not be more favourable than the rules applicable to corresponding classes of Central Government servants.

(2) Subject to sub-regulation (1) and save in regard to Government servants who are on deputation to the Board, the Chairman shall have power to appoint, dismiss, grant leave, to fine, suspend or reduce any person in the service of the Board :

Provided that no person shall be appointed to, or dismissed from, an office the salary of which is 100 per mensem and upwards without the sanction of the Board at a meeting.

The Board shall maintain an office for the transaction of its business and may open branch offices should necessity arise.

13. Not less than two meetings of the Board shall be held in each year.

14. Five members shall form a quorum for meetings of the Board and three members shall form a quorum for meetings of any committee.

15. A record shall be maintained of all business transacted by the Board or by any committee.

16. (1) The Board's working year shall be the calendar year. The Board shall, in the month of November in each year, prepare an estimate of its receipts and expenditure for the year commencing on the first day of January next ensuing.

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(2) A copy of such estimate shall be submitted for approval to the Central Government in the first week of December.

17. (1) The accounts of the Board shall be made up for each calendar year and forwarded to the Central Government as soon as possible after its close.

(2) The receipts shall include all sums received by the Board during the year to which the accounts relate and shall be shown under the following heads:—

(*a*) Sums received under clause 11 of the Order;
(*b*) Any other moneys received by the Board by way of grant or otherwise;
(*c*) Interest accrued on investments;
(*d*) Miscellaneous.

The opening balance shall be shown at the head of the account on the receipt side.

(3) The expenditure shall be shown under the following heads or any other head or heads that may be decided upon by the Board from time to time:—

(*a*) Office rent;
(*b*) Officers' salaries and establishment charges;
(*c*) Travelling and daily allowances;
(*d*) Stationery and printing;
(*e*) Postage and telegrams;
(*f*) Measures taken for intensifying tapping and promoting research and propaganda, etc.;
(*g*) Miscellaneous.

The closing balance of the year shall be shown at the foot of the expenditure side.

18. (1) The current account of the Board shall be kept in the Imperial Bank of India or such other Bank as the Central Government may approve, and all moneys at the disposal of the Board, with the exception of petty cash and of moneys placed in fixed deposit or invested in accordance with the provisions hereinafter contained, shall be paid into that account.

(2) Any funds not required for current expenditure may be placed in fixed deposit with any bank approved in this behalf by the Central Government or invested in the name of the Board in any security in which trust property may lawfully be invested under the Indian Trusts Act, 1882.

(3) The placing of money in fixed deposit and the investment thereof and the disposal of moneys so placed or invested shall require the sanction of the Chairman of the Board.

(4) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against the current account of the Board.

(5) Such cheques and all orders for making deposits or investments, or for the withdrawal of the same, or for the disposal in any other manner of the funds of the Board shall be signed by the Secretary and countersigned by the Commissioner or any other member authorised by him in this behalf.

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19. The Board may, with the approval of the Central Government, issue rules either for the payment of a bonus to, or for the creation of a Provident Fund for, its employees and also for the grant of leave to its employees.

Regulations for inclusion in list of approved estates, approved holdings and approved dealers.

20. Every estate which has a rubber planted area of not less than one hundred acres, shall be eligible to be registered as an "approved estate" and every holding which has a rubber planted area of not less than 50 acres administered as one unit, as an "approved holding".

21. Every dealer of sound financial position and standing who has dealt in rubber for a period of three years prior to 1st April 1942, to the extent of an average of not less than one hundred tons of dry rubber per annum, or who has a present stock of 100 tons of dry rubber, or who is capable of dealing in an average of 100 tons of dry rubber per annum, shall be eligible to be registered as an "approved dealer".

22. Any dealer desiring to be registered as an approved dealer and any owner of an estate or holding desiring to have the estate or holding registered as an approved estate, shall make an application to the Board in the form prescribed, if any, by the Board and shall also produce before the Board such evidence of eligibility as is required by the Board.

23. If the Board is satisfied that an estate or holding or dealer satisfies the requirements of eligibility, the Board may sanction the application in respect of such estate or holding or dealer, whereupon the name of such estate or holding or dealer shall be entered in the Register of approved estates, holdings or dealers, as the case may be, and a certificate thereof granted to the applicant. If the Board is not so satisfied it may reject the application.

24. Any breach of contract or failure to meet obligations on the part of any approved estate, approved holding or approved dealer or any default or failure on their part to comply with the requirements of the Order or of these regulations or of any supplementary Order or Regulations which may hereafter be made or of any of the lawful demands made from time to time by the Board or any cessation or suspension of production or dealing by any estate or holding or dealer approved under the Order, or the commission or wilful omission by them of any act or thing which in the opinion of the Board may tend to be prejudicial or detrimental to the object and purpose of the Order, shall make such estate or holding or dealer liable for suspension or removal by the Board from the Register of approved estates or holdings or the Register of approved dealers, as the case may be, and consequent suspension or cancellation of the relative certificates granted by the Board.

25. The Board shall have the discretion at any time to suspend or remove the name of any estate or holding or dealer approved under the Order from the Register of approved estates or holdings or the Register of approved dealers, as the case may be, for any of the foregoing reasons or for any other reason which the Board may deem sufficient.

Joint Secy. to the Govt. of India.

DEPARTMENT OF COMMERCE. 393

NOTIFICATIONS.

Treaties (Rubber).

New Delhi the 21st November 1942.

No. 269 (9)-Tr (R)/42 :—In pursuance of clause 3 of the Rubber Control and Production Order, 1942, the Central Government is pleased to constitute, with effect from 21st November 1942, the Indian Rubber Production Board consisting of the following :—

CHAIRMAN.

Sir C. P. Ramaswamy Iyer, Dewan of Travancore.	Nominated by the Central Government.

MEMBERS.

Not less than two but not more than four representatives as may be deputed by the Central Government from time to time.	To be nominated by the Central Government to represent that Government.
Mr. P. H. Rama Reddi, Director of Agriculture, Madras.	Nominated by the Government of Madras to represent that Government.
Mr. K. V. Thomas . . The Division Peishkar, Kottayam.	Nominated by the Government of Travancore to represent that Government.
Mr. E. F. Norman . .	Nominated by the Government of Cochin to represent that Government.
Mr. L. J. T. Polgreen . .	Nominated by the United Planters' Association of Southern India to represent that Association.
Mr. A. V. Thomas, Alleppey .	Nominated by the Rubber Growers' Association of India to represent that Association.
Mr. V. J. Joseph of Messrs. Pothen Joseph & Sons, Alleppey.	Nominated by the Central Government to represent the approved rubber dealers.
Mr. K. Dominic Joseph, Advocate, Kottayam.	Nominated by the Association of Planters of Travancore to represent that Association.
The Rubber Production Commissioner.	*ex-officio.*

Joint Secy. to the Govt. of India.

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No. 268 (8)—*Tr.* (*R*)/42.—Inp ursuance of sub-clause (1) of clause 5 of the Rubber Control and Production Order, 1942, the Central Government is pleased to appoint, with effect from 21st November 1942, and until further orders Mr. P. Kurian John, B.A., as the Rubber Production Commissioner.

Joint Secy. to the Govt. of India.

No. 268—(8) *Tr.* (*R*)/42.—In pursuance of sub-clause (2) of clause 5 of the Rubber Control and Production Order, 1942, the Central Government is pleased to appoint Mr. C. R. B. Menon, B.A., as Secretary to the Indian Rubber Production Board, with effect from the date he takes over charge and until further orders.

Joint Secy. to the Govt. of India.

Printed by the Superintendent at the Government Press, Bangalore.